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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,166	08/31/2000	Paul Chan H. Tse	NORT-0067 (12825RRUS01U)	2631

7590	05/04/2005	EXAMINER

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EXAMINER
FOSTER, ROLAND G

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/652,166	TSE, PAUL CHAN H.
	Examiner	Art Unit	
	Roland G. Foster	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 February 2005_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _2-6,8-23,25,26,28-33 and 35-42_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _18_ is/are allowed.

6)☐ Claim(s) _2-4,6,8-17,19-23,25,26,28-33 and 35-42_ is/are rejected.

7)☒ Claim(s) _5_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on February 28, 2005 has been entered.

Response to Arguments

Beyond applicant's argument that the claim 33 rejection was defective, which was

addressed in the prior Advisory action and is nonetheless rendered moot by the non-final

rejection to follow, the applicant's arguments appear substantially similar to the applicant's

arguments previously considered and addressed in the final rejection, mailed on October 20,

2004 (the "Final Rejection"). Therefore, see Final Rejection for additional details.

For the above reasons, the following rejections are repeated, except where any new

grounds of rejection is due to the amendment to the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 22, 29, 30, 31, and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by

U.S. Patent NO. 6,628,644 B1 ("Nelson"), of record.

With respect to claim 30, see the following paragraphs for details on how Nelson

anticipates particular limitations within the claim.

The limitation "a device capable of participating in call sessions" reads on the web client

network device, which runs a web browser such as computer 24 (Fig. 1, Fig. 3, and col. 5, lines

1-15).[1]

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[1] Interpreting Nelson's web browser as the claimed "device capable of participating in call sessions" (e.g., claim 30) that participates by sending a call request to establish the call or by performing multiple other call session functions (Fig. 3, hold, transfer, etc.) while the actual voice communications takes place on another component (e.g., IP phone 22a) is consistent with both the applicant's claim content and applicant's specification. Regarding content, the applicant fails to recite in the subject claims that the device itself carries out voice communications. Further, applicant has demonstrated that applicant will expressly claim additional, narrowing limitations in the body of the claim in order to recite this feature (e.g., claim 1, "communicating, by the terminal, voice data over the packet-based network..."). Thus, claims that lack this expressly recited feature (e.g., claims 22, 24, and 30) should be interpreted more broadly as not requiring this feature. This interpretation is also consistent with the applicant's specification, which discloses an alternate embodiment where "various software layers, routines, or modules discussed herein may be executable on control units in corresponding terminals (page 11, line 28 – page 12, line 11). Thus, a first terminal (i.e., the claimed "device") may execute routines and modules to send the call request and a

The limitation "a display" reads on Fig. 3, where a web page includes speed dial buttons 104, which is displayed through a web browser. The speed dial buttons 104 are a selectable browser links to web server (IP phone) functionality (col. 7, lines 32-50 and col. 8, lines 16-26). Since the web page is coded in hypertext markup language (html) (col. 5, lines 1-30 and col. 6, lines 16-25), then the links are also hypertext links.

The limitation "a storage device to store hyperlinks associated with identifiers of callees" reads on the various web client computer running the web browser (e.g., Fig. 1, computer 24), which store the html web pages (and associated speed dial hyperlinks as discussed above) (col. 5, lines 1-31).

The limitation "a controller" and "a routine" reads on the computer (e.g., computer 24), which inherently comprises a processor (controller) that executes stored programs (executable routines) such as the web browser and HTML interpreteter (col. 5, lines 1-15).

The limitation "to present at least one of the hyperlinks on the display and to generate a call request to establish a call session over the packet-based data network in response to selection of the at least one hyperlink" reads on Nelson as follows. The web browser display includes hypertext links as discussed above (Fig. 3). When the user selects the hyperlink, a hypertext transfer protocol (http) request is transferred to the web server in the IP phone (col. 5, lines 21-

corresponding terminal may execute routines and modules to support the actual voice communication similar to

44). The call is established over Internet 40 (packet based network using an Internet protocol) by

the IP phone in response. Thus, selecting the hyperlink (e.g., speed dial button) functions as a

call setup request.[2]

        Claim 22 differs substantively from claim 30 in that claim 22 recites that the hyperlink is

associated with a uniform resource locater ("URL") containing the logical identifier of the callee

where the logical identifier is contained in the call request. Selecting the speed dial button 104

(hyperlink) results in generating an associated URL as discussed above. The URL contains

information that is used, after parsing and domain name service (DNS) lookup (col. 5, lines 25-

30), to request that the web server (IP phone) set up a call to the telephone number of the called

party (callee) corresponding to the selected speed dial button. Therefore, the URL is a call

request containing the logical identifier of the callee (called party). See the claim 30 rejection

for further details.

        Claim 29 differs substantively from claim 22 in that claim 29 recite program instructions

and data signals embodied in a carrier wave that perform functions equivalent to the functions

performed by the device of claim 22. The system is implemented as a computer based system

(Fig. 1) and thus executes program instructions in order to perform the various browsing and

dialing functions. The system is also implemented via the Internet (data signal embodied in a

carrier wave) (Fig. 1). See the claim 22 and 30 rejections for further details.

Nelson.
[2] A typical telephone, when sending a call request, will send data comprising the number corresponding to a keypad
pressed (e.g., DTMF signaling) or a series of numbers (DTMF telephone number) corresponding to a speed dial

With respect to claim 31, see the claim 30 rejection for further details regarding the

process where the web client computer stores the hyperlinks in a telephone directory.

With respect to claim 38, both signaling and voice data are exchanged via the Internet

using an Internet protocol layer during a call session.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 3, 13, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nelson in view of U.S. Patent No. 6,091,808 ("Wood"), of record.

Claim 33 differs substantively from the independent claims discussed above in that claim

33 expressly recites that the terminal both sends the call request and communicates the voice

data over a packet-based network using an Internet Protocol network. Nelson discloses all

within the claims including communicating both a call request and voice data over a packet-

based network using an Internet Protocol network (see the Nelson, claim 30 rejection above).

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selection. Thus sending data comprising the number corresponding to a speed dial hyperlink selection reads upon a "call request" according to the plain and conventional meaning of the term to one of ordinary skill.

However, Nelson fails to disclose that both the call request and voice data are transmitted from the same terminal.

However, Wood (similarly to Nelson) discloses a similar device capable of participating in call session over a packet-based data network (e.g., Fig. 3, col. 3, lines 45-57, col. 5, lines 54 – 67, and col. 7, lines 1-25) where the call request and voice communication functions are integrated into one terminal (col. 3, lines 55-57).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to integrate into one terminal the call setup and voice communication terminals disclosed by Nelson and as taught by Wood.

The suggestion/motivation for doing so would have been to reduce the cost of manufacture by integrating the functions into one terminal. Further, user-friendliness would have been increased by having both functions easily available at one unit. Finally, Wood suggests that the choice of whether to combine the functions into one terminal (i.e., the "form of the web browser") is "entirely arbitrary" (col. 3, lines 49-55).

With respect to claim 2, see Fig. 3 and the claim 30 rejection for additional details. The speed dial hyperlink is associated with the telephone number of the called party.

With respect to claim 3, see the claims 22 and 30 rejections for further details.

With respect to claim 13, see Fig. 1.

Claims 4, 6, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nelson in view of (if applicable) Wood as applied to (if applicable) claim 33 above, and further

in view of U.S. Patent No. 6,310,873 B1 ("Rainis"), of record.

The subject claims differ substantively from claims discussed above that they recite

additional limitations directed to accessing rules information to determine further information

(e.g., charge information) to add to the logical identifier of the called party and to provide charge

information for a toll call.

With respect to claims 6 and 19, Nelson as modified above (if applicable) discloses all

within the claim (as discussed in the claim rejections above) except accessing rules information

to determine further information (e.g., charge information for the toll call) to add to the logical

identifier of the called party.

Rainis (similarly to Nelson) is directed to a system for establishing telephony calls over

the Internet (abstract). Rainis also teaches that the client accesses rules information (basic

payment models such as payment by credit card) to add additional information such as method of

payment and charge information such as credit card number to the receiving party's telephone

number (logical identifier) (col. 5, lines 1-15). The additional information is used to supplement (append) the telephone number.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add to the logical identifier of the called party as disclosed by the Internet telephony system of Nelson additional information and charge information as taught by the Internet telephony system of Rainis.

The suggestion/motivation for doing so would have been to reduce the cost to operate an Internet telephony network by providing information that allows the Internet telephony provider to quickly and accurately charge back to the customer for the use of actual resources used during the call. Such billing would have been notoriously well known in the art of telephone systems. For example, calling card calls require the caller to add additional charge information (e.g., account number) when placing the call. In addition, the user-friendliness, efficiency, and flexibility of the Internet telephony system would have been because adding additional information that allows the calling party to select desired method of payments such as electronic cash, credit cards, or tokens (Rainis, col. 5, lines 1-8).

With respect to claim 4, see the claim 6 rejection for further details regarding the obvious addition of Rainis to the combination of Nelson in view of Wood.

Claims 14, 20, 21, 23, 26, 35-37, 39, 41, and 42, are rejected under 35 U.S.C. 103(a) as

being unpatentable over Nelson in view of (if applicable) Wood or (if applicable) view of Rainis

as applied (if applicable) to claims 22, 29, 30, 33, and 39 above, and further in view of U.S.

Patent No. 6,553,515 B1 ("Gross"), of record.

Claims 14 and 35 differ substantively from the preceding claims in that claims 14 and 35

recite that the call request comprises a session initiation protocol (SIP) message.[3]

Nelson discloses all within the claims (see the claim rejections above) except that the call

request comprises a SIP message.

Gross (similarly to Nelson) is directed to a system for establishing telephony calls over

the Internet (abstract). Gross also teaches that the SIP protocol stack is used to set up calls over

the Internet (col. 5, lines 5-26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to add the use of SIP protocol to set up a call over the Internet as taught

by the Internet telephony system of Gross to the Internet telephony system of Nelson.

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[3] Interpreting Nelson's web browser as the device that sends the call request to establish the call while the actual
voice communications takes place on another device (e.g., IP phone 22a) is consistent with both the applicant's
claim content and applicant's specification (see footnote 1 for further details). The IP phone 22a establishes voice
communications over an IP network and thus is entirely suitable to SIP modification based on the call request data it
receives from the web browser.

The suggestion/motivation for doing so would have been to conform to Internet standards where SIP is a standard protocol to initiate data sessions on the Internet (Gross, col. 5, lines 6-7). In addition, the flexibility and versatility of call setup would have been increased because SIP provides enhanced services such as call forwarding and also handles other address formats such as H.323 telephone numbers (Gross, col. 5, lines 6-26).

With respect to claims 20 and 26, see Nelson, Fig. 3 and the claim 30 rejection.

With respect to claim 21, see the claim 22 rejection for further details.

With respect to claims 28, 36, 37, and 42, see the claim 14 rejection for further details.

With respect to claims 39 and 41, see the claim 14 rejection for further details regarding the obvious addition of Gross to the combinations of both Nelson in view of Wood and Nelson in view of Rainis.

Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of Gross as applied to claim 14 above, and further in view of U.S. Patent No. 6,134,319 ("Burg"), of record.

Nelson as modified fails to teach determining if the call is local or long distance and adding prefix information (special character) if the call is long distance.

However Burg (similarly to Nelson) teaches of system that remotely initiates a call via a data network (Fig. 1) and that determines if the call is local/long distance adding a prefix number if necessary (Fig. 4 and col. 5, lines 5-8)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add local/long/prefix information as taught by the remote dialing system of Burg to the remote dialing system of Nelson.

The suggestion/motivation for doing so would have been to increase user-friendliness, efficiency, and accuracy but avoiding the "requirement for the caller to remember, or know, these access codes when placing a call [] a drawback that can make placing an out-of-area phone call burdensome" (Burg, col. 1, lines 13-54).

The resulting modification would have resulted in a storage device containing call rules to determine whether the call is local or long distance and adding special characters (e.g., prefix numbers) if necessary.

Claims 8-12, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of (if applicable) Wood, or in view of (if applicable) Gross as applied to (if applicable) claims 22, 33, and 35 above, and further in view of U.S. Patent No. 6,453,034 ("Donovan"), of record.

With respect to claims 8-10, Nelson discloses all within the claim (see the claim

rejections above) except the following. Although Nelson discloses a URL that identifies a

telephone number, Nelson fails to disclose that the URL actually contains both a telephone

number and a protocol identifier that identifies the URL as telephony related where the URL is

copied into another storage.[4]

However Donovan (similarly to Nelson) teaches of an Internet telephony system

(abstract) where the URL includes a telephone number and protocol identifier (SIP) that

identifies the URL as telephony related (col. 3, lines 45-60). The URL is also copied into

another storage as it is transported across the IP network in order to initiate a real time protocol

(RTP) sessions. Id.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to add a telephone number and protocol identifier that identifies the URL

as telephony related where the URL is copied as taught by the Internet telephony of Donovan to

the Internet telephony system of Nelson as modified.

The suggestion/motivation for doing so would have been to conform to Internet standards

where SIP is a standard protocol to initiate data sessions on the Internet. In addition, the

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[4] Interpreting Nelson's web browser as the device that sends the call request URL to establish the call while the
actual voice communications takes place on another device (e.g., IP phone 22a) is consistent with both the
applicant's claim content and applicant's specification (see footnote 1 for further details). The IP phone 22a

flexibility and versatility of call setup would have been increased because SIP provides enhanced

services such as call forwarding and also handles other address formats such as H.323 telephone

numbers.

With respect to claim 23, see the claim 8 rejection for further details.

With respect to claims 12 and 35, see the claim 8 rejection for further details regarding

the obvious addition of Donovan to the both the combinations of Nelson in view of Wood and

Nelson in view of Gross.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson as applied

to claim 30 above, and further in view of U.S. Patent No. 6,360,254 B1 ("Linden"), newly cited.

Although Nelson teaches that the system provides an e-mail routine (col. 7, lines 40-45),

Nelson fails to specifically disclose that the e-mail system adds the hyperlink to the e-mail

message.

However, Linden (similarly to Nelson) teaches of a system comprising a server that

provides access to private data (abstract). The web server accomplishes this function by

providing hyperlinks to the e-mail message (col. 7, lines 11-29).

_____

establishes voice communications over an IP network and thus is entirely suitable to SIP URL modification based on

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to add an e-mail routine capable of adding hyperlinks to e-mail as taught

by Linden to the e-mail routine disclosed by Nelson.

The suggestion/motivation for doing so would have been to conform to e-mail standards,

which support the inclusion of hyperlinks within e-mail messages. In addition, user-friendliness,

versatility, and efficiency would have been increased by allowing an e-mail recipient the ability

to directly access a desired website by clicking on any URL included in a received message, as is

notoriously well known in the art. Finally, user friendliness, efficiency, and security would have

bee increased by allowing the user to access private data "by simply selecting the hyperlink from

within an email application that interacts with a browser program" thus the "user can...access the

resource without having to remember or reenter the private URL" (Linden, col. 4, lines 25-34).

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of

Donovan as applied to claim 8 above, and further in view of Gross. See the claim 14 rejection

for further details regarding the obvious addition of Gross to the combination of Nelson in view

of Donovan.

Allowable Subject Matter

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 18 is allowed.

Examiner's Reasons for Indicating Allowable Subject Matter

With respect to claim 5, the combination of Nelson in view of Wood, and further in view of Rainis would have still failed to teach determining if the call is local or long distance and adding prefix information if the call is determined to be long distance.

The prior art of record Burger (as applied above) teaches of this feature.

However, the prior art of record fails to teach or fairly suggest still further modifying the triple combination of Nelson in view of Wood, and further in view of Rainis by applying the teachings of Burger.

With respect to claim 18, see the last Office action for further details regarding the examiner's reasons for allowance.

The above reasons for allowance are based on the claims as presently set forth in their totality. The above reasons for allowance should not be interpreted as indicating that amended claims broadly reciting certain limitations discussed in the above reasons for allowance would be allowable. A more detailed reasons for allowance may be set forth in a subsequent Notice of Allowance if and when all claims in the application are put into a condition for allowance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland G. Foster whose telephone number is (571) 272-7538. The examiner can normally be reached on Mon to Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roland G. Foster
Primary Patent Examiner
May 1, 2005